



PATENT
Attorney Docket No. AMBER -06769

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Application of: Kenneth J. Rothschild *et al.*
Serial No.: 10/049,332 Art Unit: 1636
Filed: 2/11/2002 Examiner: Katcheves, K
Entitled: **Methods for the Detection, Analysis and Isolation of Nascent Proteins**

TERMINAL DISCLAIMER, 37 CFR 1.321(c)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)(1)(i)(A)

I hereby certify that this correspondence (along with any referred to as being attached or enclosed) is, on the date shown below, being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA. 22313-1450

Dated: March 15, 2006

By:


Christopher Collins

Sir/Madam:

I, the undersigned Peter G. Carroll, am an attorney of record for this invention, and have power of attorney to act on behalf of the Assignees.

The Assignee, AMBERGEN, Inc, 1106 Commonwealth Avenue, Boston MA 02215, is the sole owner of one-hundred percent (100%) interest in the instant application.

Petitioners' hereby disclaim, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173 of U.S. Patent Numbers **6,306,628** and **6,303,337** and hereby agree that any patent so granted on the above-identified instant application or any patent subject to the reexamination proceeding shall be enforceable only for and during such period that said patents are commonly owned with U.S. Patent Numbers **6,306,628** and **6,303,337**, and this agreement is to run with any patent granted on the above-identified instant application and to be binding upon the grantee, its successors or assigns.

In making the above disclaimer, petitioners' do not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173, as presently shortened by any terminal disclaimer, in the event that U.S. Patent Numbers **6,306,628** and **6,303,337** should expire for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally under 37 CFR 1.321, has

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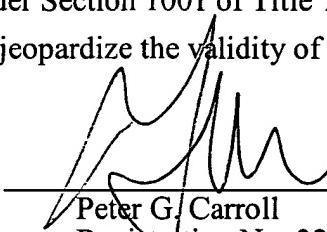
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all claims cancelled by a reexamination certificate, is reissued, or is otherwise terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

Enclosed herewith is the fee set forth in 37 C.F.R. § 1.20(d) in accordance with 37 C.F.R. § 1.321(c).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Dated: 3/15/2004


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